

1990

## c Pr20 City of Ottawa Act, 1990

Ontario

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## CHAPTER Pr20

### An Act respecting the City of Ottawa

*Assented to June 21st, 1990*

Whereas the Board of Trustees of The City of Ottawa Superannuation Fund, herein called the Board, and The Corporation of the City of Ottawa, herein called the Corporation, hereby represent that The City of Ottawa Superannuation Fund was established under paragraph 10 of section 406 of *The Municipal Act* by By-law Number 7200 passed by the council of the Corporation and was incorporated by *The City of Ottawa Superannuation Fund Act, 1939*; that the Board in considering pension plan improvements based on actuarial surpluses secured a costing of basing pensions on the average of the highest three consecutive years remuneration rather than the present five years; and whereas the Board and the Corporation are desirous of obtaining the authority to implement the three year averaging period for remuneration if sufficient actuarial surpluses arise in the future; and whereas the Board and the Corporation hereby apply for special legislation for such purpose; and whereas it is expedient to grant the application;

Preamble

R.S.O. 1927,  
c. 233  
1939, c. 66

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.**—(1) Despite subsection 117 (3) of the *Municipal Act*, the Corporation and The Regional Municipality of Ottawa-Carleton are not prohibited from making any contribution to The City of Ottawa Superannuation Fund if the Board of Trustees of The City of Ottawa Superannuation Fund amends the by-laws of the Fund to provide for pension benefits using in the benefit formula the three consecutive years during which the employee's average annual earnings were highest rather than the sixty consecutive months during which the employee's earnings were highest referred to in that subsection.

Three year  
averaging  
period  
R.S.O. 1980,  
c. 302

(2) Subsection (1) does not apply unless the board of trustees of The City of Ottawa Superannuation Fund has submitted to the Ministry of Municipal Affairs an actuarial report showing that there is a sufficient actuarial surplus in the Fund

Restriction

and that the contribution rates are sufficient to provide pension benefits using the benefit formula in subsection (1).

Commence-  
ment

**2. This Act comes into force on the day it receives Royal Assent.**

Short title

**3. The short title of this Act is the *City of Ottawa Act, 1990*.**